

POPPLETON v. WALLACE.

APPEAL FROM THE CIRCUIT COURT OF APPEALS FOR THE EIGHTH
CIRCUIT.

No. 194. Argued March 6, 1906.—Decided April 2, 1906.

Decided on authority of *Wyman v. Wallace*, ante, p. 230.

Mr. Richard S. Horton for appellant.¹

Mr. James M. Woolworth and *Mr. R. S. Hall* for appellees,
submitted.¹

MR. JUSTICE BREWER: This case is also an appeal by a stockholder from the same decree, and presents only this difference: This stockholder voted against the resolutions passed by the stockholders looking to a voluntary liquidation. There is, therefore, nothing of a personal estoppel to be adjudged against him, but we do not think that that is material. The requisite amount of stock was voted in favor of what was done in the way of voluntary liquidation, and he as a stockholder is bound by that, although personally he dissented from the action. The same decree of affirmance will be entered in this case.

MICHIGAN CENTRAL RAILROAD COMPANY v.
POWERS, AUDITOR GENERAL OF THE STATE
OF MICHIGAN.²

APPEAL FROM THE CIRCUIT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF MICHIGAN.

No. 397. Argued February 21, 23, 26, 1906.—Decided April 2, 1906.

A state statute may be unconstitutional because conflicting with the constitution of the State or with that of the United States, but all objections

¹ For abstracts of arguments see *Wyman v. Wallace*, ante, p. 230.

² For docket titles of cases, in which other railroad companies were